

96TH CONGRESS
1ST SESSION

H. R. 2763

To establish an Interagency Committee on Arson Control to coordinate Federal anti-arson programs, to amend various provisions of the law relating to programs for arson investigation, prevention, and detection, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 8, 1979

Mr. SEIBERLING (for himself, Mr. BINGHAM, Mr. SAWYER, Mr. GREEN, and Mr. MURPHY of Illinois) introduced the following bill; which was referred jointly to the Committees on Banking, Finance and Urban Affairs and the Judiciary

A BILL

To establish an Interagency Committee on Arson Control to coordinate Federal anti-arson programs, to amend various provisions of the law relating to programs for arson investigation, prevention, and detection, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Anti-Arson Act of 1979".

4 INTERAGENCY COMMITTEE ON ARSON CONTROL

5 SEC. 2. (a) There is established within the Federal Gov-

6 ernment an Interagency Committee on Arson Control there-
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1 in after in this section referred to as the "Committee"). The
2 Committee shall consist of the following persons (or their
3 designees whose positions are compensated at a rate of pay
4 not less than level IV of the Executive Schedule under sec-
5 tion 5315 of title 5, United States Code):

6 (1) The Attorney General.

7 (2) The Director of the Federal Bureau of Investi-
8 gation.

9 (3) The Postmaster General.

10 (4) The Secretary of the Treasury.

11 (5) The Administrator of the United States Fire
12 Administration.

13 (6) The Administrator of the Federal Insurance
14 Administration.

15 (7) The Director of the Bureau of Alcohol, To-
16 bacco and Firearms.

17 (8) The Commissioner of the Internal Revenue
18 Service.

19 (9) The Director of the Law Enforcement Assist-
20 ance Administration.

21 (b) The Committee shall perform the following duties:

22 (1) develop and implement a comprehensive and
23 coordinated Federal strategy and methodology for im-
24 proving assistance to State and local governments for
25 the prevention, detection, and control of arson;

1 (2) coordinate anti-arson training and educational
2 programs established within the Federal Government;

3 (3) coordinate Federal grants to State and local
4 governments for arson prevention, detection, and con-
5 trol;

6 (4) coordinate Federal research and development
7 relating to arson prevention, detection, and control;

8 (5) gather and compile statistical data relating to
9 arson prevention, detection, and control;

10 (6) review each agency report filed under subsec-
11 tion (g); and

12 (7) provide such other assistance to Federal agen-
13 cies, States, and local governments that aid in the co-
14 operation and coordination of Federal anti-arson assist-
15 ance efforts.

16 (c) The members of the Committee shall elect a Chair-
17 man. The Chairman shall call meetings of the Committee at
18 least four times a year at such times and places as the Chair-
19 man determines. The Committee may assemble and dissemi-
20 nate information, issue reports and other publications, and
21 conduct such other activities as it considers appropriate to
22 provide for effective coordination of Federal anti-arson assist-
23 ance.

24 (d) The Committee may establish such subcommittees or
25 working groups as may be necessary for the fulfillment of its

1 task. The membership may include persons not members of
2 the Committee.

3 (e) The Committee may request any agency of the ex-
4 ecutive branch to furnish it with such information, advice,
5 and services as may be useful for the fulfillment of the Com-
6 mittee's functions under this section. The agencies of the ex-
7 ecutive branch are authorized, to the extent permitted by
8 law, to provide the Committee with administrative services,
9 information, facilities, and funds necessary for its activities.

10 (f) The Committee may procure, subject to the availabil-
11 ity of funds, the temporary professional services of individuals
12 to assist in its work, in accordance with the provisions of
13 section 3109 of title 5, United States Code.

14 (g) Each agency of the executive branch shall report
15 annually to the Committee with respect to its efforts in pro-
16 viding training, educational programs, grants, and other Fed-
17 eral assistance to State and local governments for arson pre-
18 vention, detection, and control.

19 (h) The Committee shall terminate 3 years from the
20 date of enactment of this Act.

21 LAW ENFORCEMENT ASSISTANCE ADMINISTRATION

22 SEC. 3. Section 301(b) of the Omnibus Crime Control
23 and Safe Streets Act of 1968 is amended by adding at the
24 end thereof the following:

1 “(15) The development and operation of pro-
2 grams, including the purchase of equipment and the es-
3 tablishment of research laboratories, designed to pre-
4 vent and to detect crimes involving the intentional set-
5 ting fire to, or burning of, buildings, structures, timber,
6 underbrush, or grass by, or under the direction of, the
7 owner of any such building or structure, or by any
8 other person.

9 “(16) The development of educational and training
10 materials and programs for prosecutors in State and
11 local government for the prosecution of the offense of
12 arson.”.

13 UNIFORM CRIME REPORTS

14 SEC. 4. Part I of title I of the Omnibus Crime Control
15 and Safe Streets Act of 1968 is amended by adding at the
16 end thereof the following:

17 “SEC. 671. The Director of the Federal Bureau of In-
18 vestigation is authorized and directed to classify the offense
19 of arson as a part I crime in its Uniform Crime Reports.”.

20 UNITED STATES FIRE ADMINISTRATION

21 SEC. 5. (a) The Administrator of the United States Fire
22 Administration is authorized and directed to—

23 (1) conduct a research program for the develop-
24 ment, testing, and evaluation of techniques and equip-
25 ment for use by law enforcement officials and the fire

1 service community in State and local governments for
2 arson prediction, prevention, and control;

3 (2) develop and establish educational and training
4 materials and programs for the fire service community
5 and law enforcement officials for dissemination to
6 State, municipal, and other local governments for the
7 prevention, detection, and control of arson to enable
8 such governments to establish, maintain, and fund their
9 own programs;

10 (3) develop educational materials designed for
11 local community awareness programs on arson; and

12 (4) gather, analyze, publish, and disseminate any
13 other information relating to the prevention, prediction,
14 occurrence, and control of arson.

15 (b) There are authorized to be appropriated for the
16 United States Fire Administration the sum of \$5,000,000 to
17 carry out the provisions of this section.

18 BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

19 SEC. 6. The Director of the Bureau of Alcohol, Tobacco
20 and Firearms is authorized and directed to assist the Com-
21 mittee established under section 2 of this Act by providing to
22 the Committee, as the Committee determines necessary and
23 to the extent permitted by law, access to personnel and re-
24 sources of the Bureau, including the use of laboratory facili-
25 ties for research on the detection and prevention of arson.

FEDERAL INSURANCE ADMINISTRATION

SEC. 7. (a) Section 1211(b) of the Urban Property Protection and Reinsurance Act of 1968 (12 U.S.C. 1749bbb) is amended by adding at the end thereof the following new paragraph:

“(11) require that each policy written pursuant to the plan be written only after the insurer obtains and evaluates information with respect to the prospective policyholder that includes a listing of real property in which the policyholder has an insurable interest, including any ownership or leasehold rights, at the time the policy is applied for or at any time within the previous 10-year period, and whether destruction to any of such properties has occurred the cause of which is or may be arson-related.”.

(b) Section 1211 of such Act is amended by adding at the end thereof the following new subsection:

“(c)(1) Each insurer under this title who, after obtaining the information required under paragraph (11) of subsection (b), has reasonable cause to believe that a prospective policyholder has an insurable interest, at the time the policy is applied for or at any time within the previous 10-year period, in any real property which has been the subject of destruction the cause of which is or may be arson-related, may request

from the State insurance authority any relevant information

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1 within the custody of the authority that would assist the in-
2 surer in further investigating or evaluating the risk of writing
3 the coverage for that prospective policyholder.

4 “(2) The State insurance authority is authorized to
5 waive the provisions of any applicable State law which would
6 prevent the release of such information without the prospec-
7 tive policyholder’s consent, if it determines that—

8 “(A) the insurer’s request for the waiver is based
9 upon reasonable cause; and

10 “(B) the release of such information is essential to
11 the insurer in determining whether to accept the
12 risk.”.

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